

two of the young children of Josiah Hughes, who appears to have died in much poverty.

Things remained in this situation, until the year 1839, when Levy Hughes, the complainant, one of the sons of Josiah Hughes, having about that time attained his majority, took out letters of administration on the estate of his father, and having demanded of Marcellus Jones, who was the executor of Jesse Hughes, the delivery of all the slaves in question, including Isaac, and his demand being refused, instituted against him an action of detinue, in Somerset County Court, to February term, 1839, and at the November term following, recovered a verdict and judgment, for the said slaves, including Isaac, and the jury assessed the damages at the sum of \$30. No damages were assessed by the jury for the detention of the other slaves, and no attempt appears to have been made to disturb the verdict, by any of the parties; and it appears, and is conceded, that the defendant, Marcellus Jones, complied with the judgment of the court rendered upon the verdict, by delivering to the plaintiff the slaves, and satisfying the damages and costs.

Subsequently, that is to say, on the 11th of May, 1840, the present complainant filed his bill on the equity side of Somerset County Court, from whence it has been removed to this court, claiming of Marcellus Jones, as administrator with the will annexed of Jesse Hughes, an account of the labor and services of the negroes in question, with the interest thereon, from the death of Josiah in 1821, to the death of Jesse Hughes in 1838, and for the proceeds of the sale of certain goods and chattels of the said Josiah, alleged to have been sold by the said Jesse, after the death of the former, and to pay what may be found due upon such accounting, and for further relief.

The bill contains a history of the proceedings in the action of detinue, the recovery of the verdict, and the judgment thereon, and states, that the controversy in that action, was upon the title derived, respectively, by the complainant, as administrator of Josiah Hughes, and by the defendant as the representative of Jesse Hughes. The answer of the defendant admits the recovery in the action at law, and the satisfaction of that judgment